

EXHIBIT 258

~~CONFIDENTIAL~~**Memorandum for the Record**

Subject: Interview of Omar Al-Bayoumi
 Location: Conference Palace, Riyadh
 Interviewers: Dietrich Snell
 Philip Zelikow
 Also present: 9/11 Law Enforcement Privacy
 Col. Ahmed (Mabahith)
 Interview Date: October 16-17, 2003
 MFR Date: October 18, 2003

Background

Omar Al-Bayoumi (OAB) appeared for an interview by Commission Staff at the Conference Palace in Riyadh, having been contacted by the Mabahith at the request of the Commission and the FBI.* At the outset of the interview the interviewers introduced themselves and described the makeup and mission of the Commission to OAB, who was told that the Commission was familiar with his case and, in particular, the report of his interview with the FBI this past August. OAB responded by expressing his willingness to be interviewed and his desire to be clear about everything.

OAB first came to the US around August 1994 to enroll in an ELS (English as a Second Language) program at San Diego State University, which had no TOEFL requirement. After completing the course at SDSU he enrolled in an MBA program at West Coast University and subsequently transferred to United States International University when WCU closed. Both schools were recommended to him by friends. He received his degree in 1997, after which he decided to study accounting at Keller Graduate School. Despite the large demand in Saudi Arabia for accountants, OAB did not enjoy this field and left the program after 6-9 months.

He considered entering a Ph.D. program at Case Western Reserve but could not afford the \$24,000 tuition. Thereafter, he enrolled in a George Washington University program in Project Management, which he pursued both in San

* The interview was conducted entirely in English, commenced at approximately 8:25 pm and lasted until approximately 1:00 am, but was interrupted by a multi-course dinner hosted by the Mabahith. The witness did not attend the dinner.

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Diego and Washington, DC, and from which he received a certificate in c. 2000.

After spending approximately 2 months in Saudi Arabia, OAB returned to San Diego on a tourist visa. He then decided to pursue a Ph.D. in the United Kingdom, based on the shorter expected duration of such programs (2-3 years) in that country. He was accepted into the Business Ethics Ph.D. program at Aston University in Birmingham.

OAB stressed he very much enjoys being a student, despite his relatively advanced age. He was selected to participate in further education by his employer (PCA) based on his knowledge of English and his ability to teach accounting, and was able to afford further education because he already had worked so many years at PCA. OAB's education program was approved by his boss, a Turkish-American named Alb Karli, who worked in Jiddah in a PCA unit responsible for finances and contracts in the field of aviation services within Saudi Arabia. According to OAB, Karli was impressed by OAB's background and by his commitment to education.

OAB volunteered that he still has many friends in the US, and that while living there, his children were immersed in American culture, his son playing football. He further stated (as he would repeatedly during the interview) that he is very much against violence and that he feels for the American victims of the 9/11 attacks. He noted that he spent a lot of money in the US and that the cost of raising four kids there eventually became too high for him to sustain.

His salary increased over time, depending on the degrees he achieved. Initially, he received approximately 11,000 SR per month from PCA, but would receive 20,000-25,000 SR per month with a degree. During periods of budget difficulties, his monthly salary was reduced to approximately 13,000 SR. PCA also paid his tuition and education-related fees and expenses. As to other sources of income, OAB mentioned a piece of real estate in Saudi Arabia, which he sold in c. 2000 for approximately 250,000 SR before embarking on the Ph.D. program.

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~~CONFIDENTIAL~~Early 2000 Trip to LA

OAB needed to apply for new passports for his family. When he contacted the Saudi Consulate, he was advised by the secretary to bring 3 photographs of himself to the Consulate. While at the Islamic Center of San Diego (ICSD) on the day he was to travel to Los Angeles, he discovered that he had only 2 photos with him. He mentioned this discovery to "Osama" [i.e. Isamu Dyson], an American convert to Islam whom he'd known for 2-3 months, and Osama recalled a studio near the Consulate where one could obtain passport photos. (According to OAB, his friendship with Osama stemmed from discussions between them that included problems Osama was having with his wife.) OAB stated that, while living in San Diego, he took his family to LA once every few months. He also went there with Dr. Joe (an American of Italian extraction who was a podiatrist) and [redacted] taking advantage of the opportunity presented by the trip to talk with these friends.

After arriving at the Consulate, OAB met with the secretary, who may have been Iraqi. Most of his contacts with the Consulate involved obtaining English-language books and curriculum materials for his mosque. Upon completing his passport business during his trip to the Consulate with Osama, OAB picked up some books from someone in the Islamic Affairs section. While uncertain as to who provided him with the printed material, he recalled dealing in such matters with a young man named Sa'ad, who had no beard and was somewhat shorter than 168 cm. OAB didn't really know people in Islamic Affairs and would contact Sa'ad when he needed some books. Claiming that Sa'ad and the secretary were the only Consulate personnel he knew, OAB said he did not recognize the names Ismael Mana and Sami Al-Ibrahim. He stated that he paid only 2 or 3 visits to the Consulate during 1999 and 2000.

OAB repeated the saga of how, after mid-day prayer at the Consulate, he and Osama went to Venice Boulevard to eat, found the restaurant he had in mind was closed, but promptly found another restaurant practically next door, noting the photographs of dishes in the window. This restaurant was very small.

During their meal, OAB got up to get something (perhaps a drink from the refrigerated case) and overheard two men, Nawaf Al-Hazmi (NAH) and Khalid Al-Mihdhar (KAM), speaking

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Arabic with accents that, he thought, indicated they came from the Gulf area. OAB introduced himself to NAH and KAM and engaged them in conversation. They joined him and Osama and indicated that they had spent some period of time (no longer recalled by OAB) in LA. OAB thinks they stated they wanted to study English and expressed interest in going to San Diego, especially after hearing OAB's description of the weather there. OAB was uncertain whether NAH and KAM asked for his home and cell phone numbers; he may have written the numbers down for them. The entire encounter lasted only a few minutes. All four men left the restaurant at the same time, but OAB doesn't recall in which direction NAH and KAM went.

After leaving the restaurant, OAB tried to find the KFM, which Osama was interested in seeing, but they could not find it, and returned to San Diego without ever visiting the KFM.

OAB doesn't know who owns the restaurant where he and Osama ate, and is not familiar with anyone by the name of Khalid Cherif.

NAH and KAM in San Diego

OAB next saw NAH and KAM at the ICSD after prayer, after the Imam pointed them out to him and said they had been asking for him. NAH and KAM said they needed to find a place to stay in San Diego, so OAB took them to the Parkwood Apartments rental office. NAH and KAM stated that the apartments were very expensive, but they would like to rent one for now. OAB doesn't know where they stayed immediately following their arrival in San Diego.

When asked about a man named "Neenu" who kept an RV in the mosque parking lot, OAB smiled and explained that Neenu was crazy, having accidentally killed his own daughter with a car and having undergone years of rehabilitation. Neenu also used drugs, and had a long history of problems. As an example of Neenu's lack of mental stability, OAB recounted how Neenu gave him a jacket and, later, demanded \$100 as payment. OAB doesn't know whether NAH and KAM ever stayed in Neenu's RV.

OAB explained that he used [redacted] as a reference on the rental application of NAH and KAM because [redacted] had been OAB's reference. [redacted] had permitted OAB to make similar

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9/11 Personal Privacy

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use of his name for such transactions as school the registrations of OAB's children. Another name OAB used in this manner was that of a fiend named Forge Hammerman.

After learning that Parkwood wouldn't accept cash from NAH and KAM, the three of them followed the rental agent's suggestion and proceeded to OAB's Bank of America branch, which was located right next to the apartment complex office. OAB doesn't know why the bank insisted on issuing a cashier's check only to him, instead of allowing NAH and KAM to purchase one with their cash. He denies ever receiving any money for facilitating the apartment rental transaction, and stressed his desire at the time to finish the transaction quickly. So great was his haste that he signed the paperwork without even reading it.

When NAH and KAM moved into their apartment - right next door to OAB's family - they had no furniture and no possessions OAB can recall.

With respect to the dinner OAB held for Sheikh Barzanjee shortly after NAH and KAM arrived in San Diego, OAB said that many sheikhs came to the ICSD and that Barzanjee was paid to lead the congregation at this time. OAB was familiar with videos of lectures given by Barzanjee on ethics and Muslim behavior, and emphasized the great respect that the Kurdish community harbored for this religious figure. OAB believes that Amir, the Imam of the Al-Medina mosque, may know Barzanjee. OAB gave the dinner to honor Barzanjee and used the apartment of NAH and KAM because Neenu brought his wife, who therefore had to stay with OAB's wife in OAB's apartment while the men ate together next door. At this point, NAH and KAM still had no furniture, so all of the diners sat on the floor.

According to OAB, he was neighbors with NAH and KAM for only a few days and rarely saw them. An incident in which he and his son saw them roughhousing with each other made OAB very uncomfortable, and after that he no longer particularly wished to associate with them. The only other sighting of NAH or KAM that OAB recalls is seeing NAH work out on a stationary bike in the fitness center of the apartment complex.

NAH and KAM did not tell OAB when they moved to Hashim Al-Attas' apartment. OAB believes this occurred while he was in Washington, DC, and that NAH and KAM may have thought

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that El Cajon would be cheaper than Claremont. OAB did not introduce NAH and KAM to Al-Attas, whom OAB originally met at the ELS course at SDSU. OAB doesn't consider Al-Attas, who had a live-in girlfriend, to be religious.

Contact with Fahad Al-Thumairy and Anwar Aulaqi

When asked about Fahad Al-Thumairy, OAB immediately identified him as an Imam at the King Fahad Mosque (KFM), but expressed surprise that he might have held a position at the Consulate. OAB first visited the KFM during the trip with Dr. Joe and [REDACTED] who were showing him around the mosque. All 3 of them met Al-Thumairy at that time, and OAB would see him again on a couple of occasions when he visited the KFM subsequently.

OAB agreed that he had some telephone contact with Al-Thumairy, which involved discussion of OAB's questions on religious matters. OAB considered Al-Thumairy his religious advisor. He recalls seeing Al-Thumairy at a post-Ramadan "Eid" festival for Saudi students, which was held at the Saudi Student Club's house in San Diego.

OAB denies that Al-Thumairy was ever his teacher, noting the considerable age discrepancy between them and OAB's own superior education.

Similarly, OAB conceded having had contact with Anwar Aulaqi, with whom he discussed religious matters and ideas similar to those he would discuss with other imams. OAB did not claim to know Aulaqi very well.

Involvement in San Diego Mosques

OAB became involved with the Al-Medina Mosque in c. 1998, when a group from the Kurdish community in San Diego approached the ICSD for help establishing their own mosque. A friend in Saudi Arabia, Saad Al-Habib -- who formerly lived in San Diego and attended the ICSD -- was familiar with the Kurdish group's situation and asked OAB to provide assistance regarding the financial transactions necessary to acquire a building and secure its title. Al-Habib contributed \$30,000 toward the purchase and OAB agreed to help with the transaction filings.

After the Al-Medina Mosque was completed, OAB occupied an office there and helped administer it, although he did not

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hold any formal position. A congregation of approximately 50 people generally attended services at the mosque. OAB would worship there once every month or so, not more often because it was 20 minutes from his residence at the Parkwood Apartments while the much larger ICSD was only 3-5 minutes away. As part of his administrative duties, he banned all disputes -- particularly those involving politics -- from the mosque, insisting that they be taken outside. The Imam of the Al-Medina mosque was named Amir.

When asked about Mohdhar Abdullah, OAB (who pronounced his name "Mekhtar") said he believes him to be Yemeni and described him as one of numerous people who would appear at the Al-Medina Mosque and offer to help out in various (generally menial) respects. Characterizing Mohdhar as more of an acquaintance than a close friend, OAB claimed not to know where Mohdhar worked and did not associate him with any gas station. He recalls Mohdhar coming around the mosque at Ramadan for food.

The first time OAB saw NAH and KAM in San Diego, they were at the ICSD. When confronted with Mohdhar's claim that OAB had tasked Mohdhar to help NAH and KAM settle in San Diego by driving them around and helping them enroll in classes, OAB firmly denied that any such thing occurred. He was at a loss to explain why Mohdhar would finger him in such fashion, especially since OAB never gave Mohdhar assignments of any sort.

OAB also says he didn't know any gas station manager named Eyad Kreiwesh.

Asked about Bakarbashat, OAB described him as heavyset and delusional, plagued by psychological problems that caused him to think himself possessed by demons.

OAB's Religious Philosophy

When questioned about his own attitudes towards religion, OAB described himself as "very tolerant of others" and "peaceful." In this context, he cited his participation in the activities of a toastmaster club in San Diego, in which people of all religious creeds participated. OAB also maintained that he refuses to discuss violent jihad with anyone and rejects insult and accusation as unacceptable practices, just as he rejects killing and stealing. He claimed to have lots of respect for Americans and to strive

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to combine East and West and to adhere to his parents' teaching that violence is not just wrong, but forbidden.

As an example of his non-violent philosophy, OAB described an incident involving his young son, who reacted to an imam's complaint about late-arriving congregation members by attacking such late arrivals at a subsequent service. OAB made sure his son understood that this behavior was not acceptable.

OAB claimed not to know of any takfiri imams in the US. He agreed that there might have been some discussion of politics by some (unidentified) individuals at the ICSD, but he would not participate in such talk.

Osama Basnan

During the course of the interview, OAB also was asked about his relationship with Osama Basnan. OAB denied having any relationship at all with Basnan, although he volunteered that their wives were close to each other because of their children. With respect to Basnan himself, OAB said that he didn't like him (while hastening to add that he really doesn't dislike anybody). In this regard, OAB observed that one tends to like the way some people talk, others not. He never heard Basnan discuss politics but did overhear him talking about the proper way to pray, in a way that struck OAB as opinionated and argumentative.

Response to Pitch

The last portion of the interview involved an effort to have OAB reconsider his contention that no one ever asked him to help NAH and KAM, either in LA or San Diego. The damning appearance of the circumstances surrounding OAB's relationship with NAH and KAM was highlighted for him, as were the tragedy of the 9/11 and subsequent terrorist attacks and the importance of averting any repetition of such attacks anywhere in the future. OAB was told that no one believes he knowingly helped the hijackers carry out their terrorist mission.

OAB responded by insisting that no one ever suggested to him that he provide the hijackers with assistance, and that he would disclose the identity of such person to us if any such person existed. Once again, he emphasized his rejection of the "way" pursued by the hijackers, whose

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description of him as a "Saudi spy" hurt him very much. Upon seeing the first plane hit the WTC on September 11 on TV, he initially assumed, he remembers, that he was viewing some sort of horror or disaster movie.

He also complained about becoming "a victim of the victims." As OAB put it, his goal of finishing his studies by December 2003 has been destroyed.

Asked whether it wasn't possible that someone used him without his knowledge, OAB adamantly maintained that he would never have let this occur. He cited his successful career to this point and his prominent stature in his community.

OAB also complained that the Mabahith watches him "every day," and that he had to wait for 7 months after his arrest in Britain before his computers were returned to him.

OAB also professed his feelings for the victims of the 9/11 attacks, citing his daughter's US citizenship and the many friends he has in the US. Describing himself as "a patient person," OAB nonetheless voiced his determination "to clear my name."

Finally, OAB was reminded of the FBI's earlier inquiry as to his willingness to take a polygraph. As in the case of his August 2003 interview, OAB stated that he would need to consult with his lawyer before he could agree to do this. It was explained to him that, merely by agreeing to take the test, OAB could enhance his own credibility and take an important step toward putting all this behind him. OAB said he would consider the request further.

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